

REMARKS

The issues outstanding in the Office Action mailed October 24, 2005, are the rejections under 35 U.S.C §§112, 102 and 103. Reconsideration of these issues, in view of the following discussion, is respectfully requested.

Rejections Under 35 U.S.C §112

Claims 1 - 13 have been rejected under 35 U.S.C §, second paragraph. Reconsideration of this rejection is respectfully requested.

The ranges recited in claims 1, 11 and 12 have been clarified in order to indicate that the lower and upper limits are included. Moreover, claim 9 has been clarified with the "preferable" recitation now the subject of claim 14.

Finally, in claims 6 and 7, the failure in the Office Action to understand the abbreviations is not understood. The abbreviation "IPD10" is defined at page 7, line 5 of the specification; "PACM12" is defined at page 7, lines 5 - 6 of the specification; and "PACM20" is defined at page 6, line 20 of the specification.

Accordingly, withdrawal of the rejections under 35 U.S.C §112 is respectfully requested.

Rejections Under 35 U.S.C §102/103

Claims 1 - 5 and 9 - 13 have been rejected under 35 U.S.C §102(b) or in the alternative §103 over Chung et al. '087. Moreover claims 6 - 8 have been rejected under 35 U.S.C §103 over Chung. Reconsideration of each of these rejections is respectfully requested.

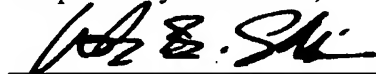
The Chung patent discloses a large number of monomers which may be used to produce polymers, and a large number of polymers produced therefrom. In such a situation where it is necessary for one of ordinary skill in the art to pick and chose from aspects of the disclosure, it is submitted that an anticipation is not to be found. See, for example, *In re Ruschig*, 379 F.2d 990, 154 USPQ 118 (CCPA 1967). Moreover, the Office Action does not explain why one of ordinary skill in the art would have the requisite motivation to make the selection necessary to arrive at a material within the scope of the present claims. Such a motivation has long been

established to be a necessary element of a rejection under Section 103. See, for example, *In re Laskowski*, 10 U.S.P.Q.2d 1397 (Fed. Cir. 1989).

Accordingly, it is submitted that the claims of the present application are not anticipated by the cited reference, nor are the rendered obvious. Withdrawal of the rejections is respectfully requested.

The Commissioner is hereby authorized to charge any fees associated with this response or credit any overpayment to Deposit Account No. 13-3402.

Respectfully submitted,



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Attorney Docket No.: ATOCM-0304

Date: April 24, 2006

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